

MILAN Richard HAVLIK, Jr

Plaintiff

v

Bill Roberts, Tammi Denney
and Randal cline.

Defendants

NO. 2:22-CV-00096-TOR

RESPONSE TO DECLARATION of PATRICK MCMAHON IN RESPONSE TO Motion For Default Judgment EXhibit NO 1

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 25, 2022

SEAN F. McAVOY, CLERK

Per LCTR 55 (a) A motion for Entry of Default is Requested
IN Response TO Supporting Document ECF.

NO. 43 filed 10/17/22 Page ID. 279 Page 6 of 7
I have Enclosed. I underline And Quote "I just NEED
a signed copy of the WAIVER of Service of Summons page
for EACH Subject IN the 3rd PDF TO RETURN TO the
Courts per the order issued 8/4/22".

This is from the US Marshal Service, and dated
August 25, 2022. This is very specific and very clear
It's Actually in bold Letters and clearly says all
three. The Plaintiff Emphasizes this IS NOT A matter
of filing a wrong form as Defendants contend, which
by Law still Entitles Plaintiff by Rule 12 And court
Order by This Great Court SER Your honor TO Rule
In my favor for Default Judgement.

Defendants In Plain English where told In outlined
Email from Reagan K Haver US Marshals Service
(Enclosed) with Ample Time to sign all 3 waiver of
Service of Summons for EACH Defendant.

Plaintiff stresses TO the court That

2:22-CV-00096-TOR

Patrick McMahon WSBA #18809 IS Lead Attorney And A member of A Litigation Team by Carlson & McMahon, PLLC.

NOT only Enquired To how To Properly Sign and Process Said Waiver of the Service of Summons And Directed on how To do so by the US.

marshals Service Reagan K. HAVEX. But failed to do so with Ample Time To Do so. Which by the way IS The Right And correct Waiver. AS the Court knows as well as I Do That IS the correct and Right WAIVER. Just NOT signed which Again by Law And Explained Dutifully by the marshal service In Supporting Document which I have mentioned And Referred to Above And Enclosed.

Your honor This IS A Major Law firm with A Team of Paralegals, Legal Assistants and Senior Law partners the Instructions And The marshals Service Instructions Are Painfully clear.

I Request At This Time for A motion of Default/Entry Judgment, by A Matter of Law of this Great Court And Federal Rules of Civil procedure 12. or Per Lciv R 55 (a). OR by manner of Violating A court ORder by your honor Also outlined In my motion for Entry of Default Judgment Already Filed.



10/20/22

anything further OR do I need to have Pat sign a separate waiver for Ms. Denney like the ones for Cline and Roberts and get that mailed to you today as well? I understand that you do not need the blue acknowledgment forms returned.

Francesca

From: Havey, Reagan (USMS) <Reagan.Havey@usdoj.gov>
Sent: Thursday, August 25, 2022 11:03 AM
To: Francesca N <francescan@carlson-mcmahon.org>
Cc: Pat McMahon <patm@carlson-mcmahon.org>; Carrie Franklin <carrief@carlson-mcmahon.org>
Subject: RE: HAVLIK/DENNEY - McMahon Letter to US Marshals Office enclosing Waivers of Service of Summons/Courtesy Copy of NOA

Good morning!

I just need a signed copy of the *Waiver of the Service of Summons* page for each subject in that 3rd PDF to return to the courts per the order issued 8/4/22.

Please let me know if you have any other questions!!

Enjoy the day!

Kind regards,

Reagan K. Havey
US Marshals Service
Investigative Analyst - Warrants
Pacific NW Violent Offender Task Force
(509) 842-1415 - Desk
(509) 842-1401 - FAX

From: Francesca N <francescan@carlson-mcmahon.org>
Sent: Thursday, August 25, 2022 9:46 AM
To: Havey, Reagan (USMS) <RHavey@usms.doj.gov>
Cc: Pat McMahon <patm@carlson-mcmahon.org>; Carrie Franklin <carrief@carlson-mcmahon.org>
Subject: [EXTERNAL] HAVLIK/DENNEY - McMahon Letter to US Marshals Office enclosing Waivers of Service of Summons/Courtesy Copy of NOA

Good Morning Ms. Havey!

I left you a voicemail but thought perhaps if you saw the documents, it might better help you to answer my question. Our office represents all defendants in this matter. The attached letter and 2nd document (waivers) was sent to you via US Mail a few days ago. The third document/PDF was received in our office from our clients, the actual packet sent from your office.